

Prob 12
(Rev. 3/88)

FILED

AUG 17 P2:33 '06

CLERK
U.S. DISTRICT COURT

**UNITED STATES DISTRICT COURT
For The
WESTERN DISTRICT OF PENNSYLVANIA**

U.S.A. vs. Devoe Duane Pickering

Docket No. 01-00038-001 Erie

Petition on Supervised Release

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Devoe Duane Pickering, who was placed on supervision by the Honorable Maurice B. Cohill, Jr., sitting in the Court at Erie, Pennsylvania, on the 13th day of August 2002, who fixed the period of supervision at five years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- The defendant shall not possess a firearm or destructive device.
- The defendant shall not illegally possess a controlled substance.
- The defendant shall participate in a program of testing and, if necessary, treatment for substance abuse, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer. Further, the defendant shall be required to contribute to the cost of services for any such treatment in an amount determined by the probation officer, but not to exceed the actual cost.
- The defendant shall submit to one drug urinalysis within 15 days after being placed on probation and at least two periodic tests thereafter.
- The defendant shall pay a special assessment of \$100.

08-13-02: Distribution of 5 Grams of More of (Crack) Cocaine; 40 months' imprisonment, 5 years' supervised release.
04-23-04: Released to supervision; Currently supervised by U.S. Probation Officer Matthew L. Rea.
06-16-05: Petition signed Judge Cohill; Supervision condition added requiring residence at the Bureau of Prisons' Community Sanctions Center in Pittsburgh, Pennsylvania, for 180 days.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS
FOLLOWS:**

Your Petitioner reports that the supervised releasee violated the following conditions of probation:

The defendant shall not purchase, possess, use, distribute, or administer a controlled substance . . . except as prescribed by a physician.

The defendant submitted a urine sample on March 16, 2006, that tested positive for marijuana and Ecstasy. On March 28, 2006, the offender submitted another urine sample that tested positive for Ecstasy. On August 9, 2006, the defendant admitted to using marijuana on a daily basis.

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The defendant shall participate in a program for substance abuse, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer.

On May 24, 2006, the defendant was terminated from outpatient drug counseling at Gaudenzia due to nonattendance.

The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.

Mr. Pickering missed scheduled office appointments on May 23 and 30, 2006; June 27, 2006; and August 11, 2006.

The defendant shall work regularly at a lawful occupation unless excused for schooling, training, or other acceptable reasons.

The defendant failed to obtain employment and/or attend schooling during the course of his supervision.

The defendant shall notify the probation officer within ten days prior to any change in residence or employment.

The defendant moved to an unknown address which he later reported to this officer on August 9, 2006.

PRAYING THAT THE COURT WILL ORDER that the supervised releasee appear in Federal Court, Courtroom D, Second Floor, U.S. Courthouse, Erie, Pennsylvania, with legal counsel on _____ at _____, to show cause why supervision should not be revoked.

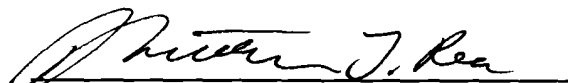
ORDER OF COURT

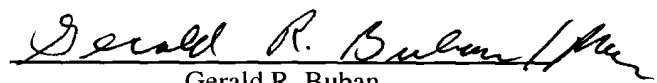
Considered and ordered this _____ day of _____, 20____ and ordered filed and made a part of the records in the above case.

Senior U.S. District Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed
on _____ August 17, 2006


Matthew L. Rea
U.S. Probation Officer


Gerald R. Buban
Supervising U.S. Probation Officer

Place: _____ Erie, PA